

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

ELIZABETH O'SHAUGHNESSY,  
MICHAEL O'SHAUGHNESSY, and  
RANDALL L. HENSLEY,

Plaintiffs,

v.

CYPRESS MEDIA, L.L.C.,

Defendant.

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No. 4:13-cv-0947-DGK

**ORDER DENYING RENEWED MOTION FOR CLASS CERTIFICATION**

This lawsuit arises from Plaintiffs' allegations that Defendant Cypress Media, L.L.C. ("Cypress"), unlawfully "double-billed" them for newspaper subscriptions. Plaintiffs brought this case as a class action. The Court denied Plaintiffs' motion for class certification, finding Plaintiffs did not demonstrate that there were questions of law or fact common to the class, or that common questions of law or fact predominated over questions affecting individual members.

Now before the Court is Plaintiffs' Renewed Motion for Class Certification (Doc. 141). Plaintiffs contend that in light of the Court's previous ruling and seventy-five late-disclosed documents, the Court should certify this case as a class action limited to three subclasses of *Kansas City Star* subscribers.

As discussed at length in the Court's order on Plaintiffs' motion to strike Cypress's summary judgment motion, nothing in the newly disclosed documents changes the Court's holding that a class cannot be certified because Plaintiffs fail to meet Rule 23(a)'s commonality requirement. Accordingly, the motion is DENIED.

**IT IS SO ORDERED.**

Date: August 24, 2016

/s/ Greg Kays  
GREG KAYS, CHIEF JUDGE  
UNITED STATES DISTRICT COURT